

105TH CONGRESS  
2D SESSION

# H. R. 4068

To make certain technical corrections in laws relating to Native Americans,  
and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 1998

Mr. YOUNG of Alaska introduced the following bill; which was referred to the  
Committee on Resources

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## A BILL

To make certain technical corrections in laws relating to  
Native Americans, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. AUTHORIZATION FOR 99-YEAR LEASES.**

4       The first section of the Act entitled “An Act to au-  
5       thorize the leasing of restricted Indian lands for public,  
6       religious, educational, recreational, residential, business,  
7       and other purposes requiring the grant of long-term  
8       leases”, approved August 9, 1955 (25 U.S.C. 415(a)), is  
9       amended—

1 (1) by inserting “lands held in trust for the  
 2 confederated Tribes of the Grand Ronde Community  
 3 of Oregon,” after “lands held in trust for the  
 4 Cahuilla Band of Indians of California,”; and

5 (2) by inserting “the Cabazon Indian Reserva-  
 6 tion,” after “the Navajo Reservation,”.

7 **SEC. 2. GRAND RONDE RESERVATION ACT.**

8 Section 1(c) of the Act entitled “An Act to establish  
 9 a reservation for the Confederated Tribes of the Grand  
 10 Ronde Community of Oregon, and for other purposes”,  
 11 approved September 9, 1988 (25 U.S.C. 713f note; 102  
 12 Stat. 1594), is amended—

13 (1) by striking “10,120.68 acres of land” and  
 14 inserting “10,311.60 acres of land”; and

15 (2) in the table contained in that subsection, by  
 16 striking:

“4	7	30	Lots 3, 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$	240;”
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17 and all that follows through the end of the table and  
 18 inserting the following:

“6	8	1	N $\frac{1}{2}$ SW $\frac{1}{4}$	29.59
6	8	12	W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	21.70
6	8	13	W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	5.31

6	7	7	E <sup>1</sup> / <sub>2</sub> E <sup>1</sup> / <sub>2</sub>	57.60
6	7	8	SW <sup>1</sup> / <sub>4</sub> SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> , W <sup>1</sup> / <sub>2</sub> SW <sup>1</sup> / <sub>4</sub>	22.46
6	7	17	NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub> , N <sup>1</sup> / <sub>2</sub> SW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	10.84
6	7	18	E <sup>1</sup> / <sub>2</sub> NE <sup>1</sup> / <sub>4</sub>	43.42
Total				10,311.60".

1 **SEC. 3. NAVAJO-HOPI LAND DISPUTE SETTLEMENT ACT.**

2 Section 12 of the Navajo-Hopi Land Dispute Settle-  
3 ment Act of 1996 (110 Stat. 3653) is amended—

4 (1) in subsection (a)(1)(C), by inserting “of  
5 surface water” after “on such lands”; and

6 (2) in subsection (b), by striking “subsection  
7 (a)(3)” each place it appears and inserting “sub-  
8 section (a)(1)(C)”.

9 **SEC. 4. TREATMENT OF CERTAIN DEMONSTRATION**  
10 **PROJECTS.**

11 (a) IN GENERAL.—The Secretary of the Interior shall  
12 take such action as may be necessary to extend the terms  
13 of the projects referred to in section 512 of the Indian  
14 Health Care Improvement Act (25 U.S.C. 1660b) so that  
15 the term of each such project expires on October 1, 2002.

16 (b) AMENDMENT TO INDIAN HEALTH CARE IM-  
17 PROVEMENT ACT.—Section 512 of the Indian Health Care  
18 Improvement Act (25 U.S.C. 1660b) is amended by add-  
19 ing at the end the following:

1       “(c) In addition to the amounts made available under  
 2 section 514 to carry out this section through fiscal year  
 3 2000, there are authorized to be appropriated such sums  
 4 as may be necessary to carry out this section for each of  
 5 fiscal years 2001 and 2002.”.

6   **SEC. 5. CONFEDERATED TRIBES OF COOS, LOWER UMPQUA,**  
 7                   **AND SIUSLAW INDIANS RESERVATION ACT.**

8       Section 7(b) of the Coos, Lower Umpqua, and  
 9 Siuslaw Restoration Act (25 U.S.C. 714e(b)) is amended  
 10 by adding at the end the following:

11           “(4) In Lane County, Oregon, a parcel de-  
 12 scribed as beginning at the common corner to sec-  
 13 tions 23, 24, 25, and 26 township 18 south, range  
 14 12 west, Willamette Meridian; then west 25 links;  
 15 then north 2 chains and 50 links; then east 25 links  
 16 to a point on the section line between sections 23  
 17 and 24; then south 2 chains and 50 links to the  
 18 place of origin, and containing .062 of an acre, more  
 19 or less, situated and lying in section 23, township 18  
 20 south, range 12 west, of Willamette Meridian.”.

21   **SEC. 6. HOOPA VALLEY RESERVATION BOUNDARY ADJUST-**  
 22                   **MENT.**

23       Section 2(b) of the Hoopa Valley Reservation South  
 24 Boundary Adjustment Act (25 U.S.C. 1300i–1 note) is  
 25 amended—

1           (1) by striking “north 72 degrees 30 minutes  
2           east” and inserting “north 73 degrees 50 minutes  
3           east”; and

4           (2) by striking “south 15 degrees 59 minutes  
5           east” and inserting “south 14 degrees 36 minutes  
6           east”.

7   **SEC. 7. CLARIFICATION OF SERVICE AREA FOR CONFED-**  
8                   **ERATED TRIBES OF SILETZ INDIANS OF OR-**  
9                   **EGON.**

10       Section 2 of the Act entitled “An Act to establish a  
11       reservation for the Confederated Tribes of Siletz Indians  
12       of Oregon”, approved September 4, 1980 (25 U.S.C. 711e  
13       note; 94 Stat. 1073), is amended—

14           (1) in the first sentence, by striking “The Sec-  
15       retary” and inserting “(a) The Secretary”; and

16           (2) by adding at the end the following:

17       “(b) Subject to the express limitations under sections  
18       4 and 5, for purposes of determining eligibility for Federal  
19       assistance programs, the service area of the Confederated  
20       Tribes of the Siletz Indians of Oregon shall include Ben-  
21       ton, Clackamas, Lane, Lincoln, Linn, Marion, Multnomah,  
22       Polk, Tillamook, Washington, and Yamhill Counties in Or-  
23       egon.”.

1 **SEC. 8. LOWER SIOUX INDIAN COMMUNITY.**

2 Notwithstanding any other provision of law, the  
3 Lower Sioux Indian Community in Minnesota is hereby  
4 authorized to sell, convey, and warrant to a buyer, without  
5 further approval of the United States, all the Community's  
6 interest in the following real property located in Redwood  
7 County, Minnesota:

8 A tract of land located in the Northeast Quarter  
9 (NE $\frac{1}{4}$ ) of Section Five (5), Township One Hundred  
10 Twelve (112) North, Range Thirty-five (35) West,  
11 County of Redwood and State of Minnesota, de-  
12 scribed as follows: Commencing at the north quarter  
13 corner of Section 5 in Township 112 North, Range  
14 35 West of the 5th Principal Meridian; thence east  
15 a distance of 678 feet; thence south a distance of  
16 650 feet; thence South 45 degrees West a distance  
17 of 367.7 feet; thence west a distance of 418 feet to  
18 a point situated on the north and south quarter line  
19 of said Section 5; thence north a distance of 910  
20 feet to the place of beginning, subject to highway  
21 easements of record, and containing 13.38 acres,  
22 more or less.

23 Nothing in this section is intended to authorize the Lower  
24 Sioux Indian Community in Minnesota to sell any of its  
25 lands that are held in trust by the United States.

1 **SEC. 9. FEDERAL TRUST EMPLACEMENT OF TRIBAL LANDS.**

2 The Cow Creek Band of Umpqua Tribe of Indians  
3 Recognition Act (25 U.S.C. 712 et seq.) is amended by  
4 adding at the end the following new section:

5 **“SEC. 7. CERTAIN PROPERTY TAKEN INTO TRUST.**

6 “The Secretary of the Interior shall accept title to  
7 any real property located in the Umpqua River watershed  
8 upstream from Scottsburg, Oregon, or the northern slope  
9 of the Rogue River watershed upstream from Agness, Or-  
10 egon, if conveyed or otherwise transferred to the United  
11 States by or on behalf of the Tribe and shall place such  
12 land in trust for the benefit of the Tribe. Land taken into  
13 trust pursuant to this section shall become part of the  
14 Tribe’s reservation lands.”.

15 **SEC. 10. TRANSFER OF WATER RIGHTS.**

16 The Jicarilla Apache Tribe Water Rights Settlement  
17 Act (106 Stat. 2237 et seq.) is amended by adding at the  
18 end the following:

19 **“SEC. 12. TRANSFER OF WATER RIGHTS.**

20 “(a) IN GENERAL.—In accordance with the require-  
21 ments of section 2116 of the Revised Statutes (25 U.S.C.  
22 177), the transfer of water rights set forth in paragraph  
23 (5) of the stipulation and settlement agreement between  
24 the Jicarilla Apache Tribe and other parties to the case  
25 referred to in section 8(e)(1)(B)(ii), that was executed on  
26 October 7, 1997, is approved.

1       “(b) EFFECTIVE DATE.—The approval under sub-  
2 section (a) shall become effective on the date of entry of  
3 a partial final decree by the court for the case referred  
4 to in the subsection that quantifies the reserved water  
5 rights claims of the Jicarilla Apache Tribe.”.

6 **SEC. 11. SAN LUIS REY INDIAN WATER RIGHTS SETTLE-**  
7 **MENT ACT.**

8       Section 105 of the San Luis Rey Indian Water Rights  
9 Settlement Act (Public Law 100–675; 102 Stat. 4000) is  
10 amended—

11           (1) by inserting “(1)” before “Until”; and

12           (2) by adding at the end the following new  
13 paragraph:

14       “(2) Notwithstanding paragraph (1), prior to comple-  
15 tion of the final settlement and as soon as feasible, the  
16 Secretary is authorized and directed to disburse a total  
17 of \$8,000,000, of which \$1,600,000 will go to each of the  
18 Bands, from the interest income which has accrued to the  
19 Fund. The disbursed funds shall be invested or used for  
20 economic development of the Bands, the Bands’ reserva-  
21 tion land, and their members and may not be used for  
22 per capita payments to members of any Band. The United  
23 States shall not be liable for any claim or causes of action  
24 arising from the Bands’ use or expenditure of moneys dis-  
25 tributed from the Fund.”.



1 **SEC. 12. NATIVE HAWAIIAN HEALTH SCHOLARSHIP PRO-**  
2 **GRAM.**

3 (a) **ELIGIBILITY.**—Section 10(a)(1) of the Native  
4 Hawaiian Health Care Improvement Act (42 U.S.C.  
5 11709(a)(1)) is amended by striking “meet the require-  
6 ments of section 338A of the Public Health Service Act  
7 (42 U.S.C. 2541)” and inserting “meet the requirements  
8 of paragraphs (1), (3), and (4) of section 338A(b) of the  
9 Public Health Service Act (42 U.S.C. 2541(b))”.

10 (b) **TERMS AND CONDITIONS.**—Section 10(b)(1) of  
11 the Native Hawaiian Health Care Improvement Act (42  
12 U.S.C. 11709(b)(1)) is amended—

13 (1) in subparagraph (A), by inserting “identi-  
14 fied in the Native Hawaiian comprehensive health  
15 care master plan implemented under section 4” after  
16 “health care professional”;

17 (2) by redesignating subparagraphs (B)  
18 through (D) as subparagraphs (C) through (E), re-  
19 spectively;

20 (3) by inserting after subparagraph (A) the fol-  
21 lowing:

22 “(B) the primary health services covered under  
23 the scholarship assistance program under this sec-  
24 tion shall be the services included under the defini-  
25 tion of that term under section 12(8);”;

1           (4) by striking subparagraph (D), as redesignated,  
2           nated, and inserting the following:

3           “(D) the obligated service requirement for each  
4           scholarship recipient shall be fulfilled through the  
5           full-time clinical or nonclinical practice of the health  
6           profession of the scholarship recipient, in an order of  
7           priority that would provide for practice—

8                   “(i) first, in any 1 of the 5 Native Hawaiian  
9           health care systems; and

10                   “(ii) second, in—

11                           “(I) a health professional shortage  
12                           area or medically underserved area located  
13                           in the State of Hawaii; or

14                           “(II) a geographic area or facility that  
15                           is—

16                                   “(aa) located in the State of Hawaii;  
17                                   and

18                                   “(bb) has a designation that is  
19                                   similar to a designation described in  
20                                   subclause (I) made by the Secretary,  
21                                   acting through the Public Health  
22                                   Service;”;

23           (5) in subparagraph (E), as redesignated, by  
24           striking the period and inserting a comma; and

25           (6) by adding at the end the following:

1           “(F) the obligated service of a scholarship re-  
2           cipient shall not be performed by the recipient  
3           through membership in the National Health Service  
4           Corps; and

5           “(G) the requirements of sections 331 through  
6           338 of the Public Health Service Act (42 U.S.C.  
7           254d through 254k), section 338C of that Act (42  
8           U.S.C. 254m), other than subsection (b)(5) of that  
9           section, and section 338D of that Act (42 U.S.C.  
10          254n) applicable to scholarship assistance provided  
11          under section 338A of that Act (42 U.S.C. 254l)  
12          shall not apply to the scholarship assistance provided  
13          under subsection (a) of this section.”.

14   **SEC. 13. MISCELLANEOUS TECHNICAL CORRECTIONS.**

15          (a) AUTHORIZATION.—Section 711(h) of the Indian  
16          Health Care Improvement Act (25 U.S.C. 1665j(h)) is  
17          amended by striking “of the fiscal years” and inserting  
18          “of fiscal years”.

19          (b) REFERENCE.—Section 4(12)(B) of the Native  
20          American Housing Assistance and Self-Determination Act  
21          of 1996 (25 U.S.C. 4103(12)(B)) is amended by striking  
22          “Indian Self-Determination and Education Assistance Act  
23          of 1975” and inserting “Indian Self-Determination and  
24          Education Assistance Act (25 U.S.C. 450 et seq.)”.

1 **SEC. 14. MICHIGAN INDIAN LAND CLAIMS SETTLEMENT.**

2 Section 111 of the Michigan Indian Land Claims Set-  
3 tlement Act (111 Stat. 2665) is amended—

4 (1) by striking “The eligibility” and inserting  
5 the following:

6 “(b) TREATMENT OF FUNDS FOR PURPOSES OF CER-  
7 TAIN FEDERAL PROGRAMS AND BENEFITS.—The eligi-  
8 bility”; and

9 (2) by inserting before subsection (b), as des-  
10 ignated by paragraph (1) of this section, the follow-  
11 ing:

12 “(a) TREATMENT OF FUNDS FOR PURPOSES OF IN-  
13 COME TAXES.—None of the funds distributed pursuant to  
14 this Act, or pursuant to any plan approved in accordance  
15 with this Act, shall be subject to Federal or State income  
16 taxes.”.

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